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**FISCAL IMPACT STATEMENT**

**LS 6393**

**BILL NUMBER:** HB 1233

**NOTE PREPARED:** Dec 23, 2009

**BILL AMENDED:**

**SUBJECT:** Stationery and Postage for Indigent Offenders.

**FIRST AUTHOR:** Rep. Dermody

**BILL STATUS:** As Introduced

**FIRST SPONSOR:**

**FUNDS AFFECTED:** ☒ **GENERAL**  
☐ **DEDICATED**  
☐ **FEDERAL**

**IMPACT:** State

**Summary of Legislation:** This bill provides that the Department of Correction (DOC) shall provide every indigent offender, without cost, a reasonable amount of stationery, envelopes, and postage for transmission of correspondence. The bill provides that other offenders may purchase stationery, envelopes, and postage, and that all offenders may use interoffice mail to communicate with the DOC and with other agencies of state government. It specifies that the DOC shall provide offenders with the ability to prepare and send legal mail without charge. (Under current law, the DOC is required to provide all offenders with stationery, envelopes, and postage.)

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:** This bill will decrease DOC's expenditures for correspondence by limiting the amount of free correspondence materials provided to offenders from all offenders to only indigent offenders. Cost savings will depend upon (1) the population of offenders that DOC determines are indigent, (2) the amount of correspondence materials provided per indigent offenders at no cost, (3) costs experienced by DOC to provide these materials at no cost to the offender, (4) previous costs of correspondence materials provided at no cost to all offenders in DOC, and (5) the number of indigent offenders that will continue to receive reasonable correspondence materials at no cost.

DOC reports that between 2,229 and 3,513 individuals, approximately, would most likely be considered indigent and eligible for reasonable correspondence materials provided at no cost to the offender. The average cost of reasonable correspondence materials per offender per year is \$12. Assuming all 2,229 to 3,513 estimated indigent individuals requested reasonable correspondence materials, the maximum estimated expenditures to provide no-cost correspondence materials is estimated to be between \$27,000 and \$42,000,

annually. DOC reports they currently maintain approximately 28,000 offenders in their facilities. If all these individuals were provided sufficient correspondence materials as required under current law, the total cost would be \$336,000 per year. By requiring that DOC only provide reasonable correspondence materials to requesting indigent offenders rather than all requesting offenders, DOC could experience a maximum cost savings between \$294,000 and \$309,000, approximately.

DOC also reports that providing *legal* correspondence for all offenders at no cost may increase expenditures for correspondence. Currently, non-indigent offenders finance the costs of their legal correspondence, whereas indigent offenders receive legal correspondence at no cost. The costs of providing legal correspondence at no cost to non-indigent offenders is currently unknown. Increases in expenditures will depend on the number of non-indigent offenders who request legal correspondence, and may be partially offset by any cost savings experienced by providing nonlegal correspondence at no cost only to indigent offenders.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** DOC.

**Local Agencies Affected:**

**Information Sources:** Tim Brown, DOC.

**Fiscal Analyst:** Bill Brumbach, 232-9559.